

Kabateck Brown Kellner, LLP  
644 South Figueroa Street  
Los Angeles, California 90017  
(213) 217-5000  
FAX (213) 217-5010

**KABATECK BROWN KELLNER LLP**

BRIAN S. KABATECK, ESQ. / BAR #152054  
RICHARD L. KELLNER, ESQ. / BAR #171416  
644 South Figueroa Street  
Los Angeles, CA 90017  
Telephone: (213) 217-5000  
Facsimile: (213) 217-5010  
Email: [bsk@kbklawyers.com](mailto:bsk@kbklawyers.com)

**KHORRAMI POLLARD & ABIR LLP**

SHAWN KHORRAMI, ESQ. / BAR #180411  
DYLAN POLLARD, ESQ. / BAR #180306  
444 So. Flower Street, Thirty-Third Floor  
Los Angeles, CA 90071  
Telephone: (213) 596-6000  
Facsimile: (213) 596-6010  
Email: [dpollard@kpalawyers.com](mailto:dpollard@kpalawyers.com)

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX	)	MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND	)	
PRODUCT LIABILITY LITIGATION	)	
_____	)	
	)	
BARLOW, et al.,	)	CASE NO. CGC-06-449081
	)	MDL Case No. 06-1964 CRB
	)	
Plaintiffs,	)	STIPULATION AND ORDER OF
	)	DISMISSAL WITH PREJUDICE
vs.	)	AS TO PLAINTIFF EMOGENE LINCOLN
	)	
PFIZER, INC., et al.	)	
	)	
Defendants.	)	
	)	
_____	)	

COME NOW, Plaintiff EMOGENE LINCOLN and Defendants PFIZER, INC., et al., by  
and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a),

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE  
AS TO PLAINTIFF EMOGENE LINCOLN**

and hereby stipulate to the dismissal of Plaintiff EMOGENE LINCOLN from this action, with prejudice, each side bearing its own attorney's fees and costs.

Respectfully submitted,

Dated: September 29, 2009

**KABATECK BROWN KELLNER LLP**

By: 

Brian S. Kabateck, Esq.

Attorneys for Plaintiff EMOGENE LINCOLN

Dated: October 27, 2009

**DLA PIPER LLP**

By: /S/

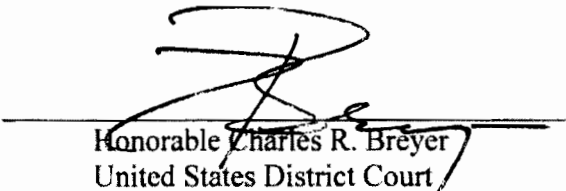
Matthew A. Holian

Attorney for Defendants PFIZER, INC., et al.

**ORDER**

**PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS SO ORDERED.**

Dated: OCT 29 2009

  
Honorable Charles R. Breyer  
United States District Court